<u>Remarks</u>

Claims 1-2, 8-9, 14-15, and 21-22 are pending. Claims 1 and 14 are amended for clarity.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-2, 8-9,14-15, and 21-22 are rejected in this Office Action under 35 U.S.C.§ 103(a) as being unpatentable over Jaiswal et al. ("A distributed Event Logging System") in view of Tierney et al. ("The NetLogger Methodology for High Performance Distributed Systems Performance Analysis" cited on form PTO-892 dated 2/6/08) and Lubberst et al. (US Pub.. No. 2003/0187847 A1).

Regarding Claim 1, the Examiner opines that Jaiswal teaches a distributed system comprising all the limitations recited in Applicant's Claim 1 except: i) the "system synchronizer sending a timing message to be logged to the plurality of cooperative process", which Tierney teaches; and ii) "the indices in memory and the portion of the indices stored onto the storage medium are merged subsequently", which Lubbers teaches.

Applicant respectively traverses the rejection. As amended, Lubbers recites that the indices are indices of the records of execution:

> 1.   (Currently amended) A distributed system comprising:
>
> a plurality of cooperative processes running on a plurality of processors of a computer network to accomplish distributed transactions, each process logging, in a local resource, records of execution of the distributed transactions by the process on its processor;
>
> a system synchronizer sending a timing message to be logged to the plurality of cooperative processes; and
>
> a search engine running on each of the plurality of processors, each search engine retrieving corresponding records of execution in response to a query regarding any of the distributed transactions,
>
> <u>wherein each search engine generates indices of the records of execution in memory, and a portion of the indices are stored onto a storage medium after a specific time period; and the indices in memory and the portion of the indices stored onto</u>

<u>the storage medium are merged subsequently.</u>

Applicant discloses merging indices. On the controry, Lubbers teaches merging data directly. Lubbers discloses a "merge process wherein data in the data log may be merged into corresponding data on a destination storage system connected to the source data storage system"(see [0012]. Lubber's "merging" of data refers to replaying write requests at the designation system and not merging indices of records of execution:

> [0060] To ensure write order preservation, a log, i.e., a non-volatile cache, is maintained for each group 705 that records the history of write commands and data from a host. The log is sized to store all write transactions until the transaction is committed to each member of a copy set. <u>When required, the log can be replayed to merge the pending writes, in order, to each remote group 705. When required, the cached writes can be written to a log on media along with subsequent host writes and then later replayed to merge the pending writes, in order, to each remote group 705.</u> The ordering algorithm uses a "group sequence number" and the remote groups 705 ensure that the data is written in order sequence. Group members enter and exit logging at the same time, to assure order across the volumes.

(emphasis added; Lubbers, at page 6, paragraph 60)

Thus, Lubbers does not disclose, teach, or suggest Claim 1's "each search engine generates indices of the records of execution in memory, and a portion of the indices are stored onto a storage medium after a specific time period; and the indices in memory and the portion of the indices stored onto the storage medium are merged subsequently." Accordingly, Claim 1 and its dependent Claims 2 and 8-9 are each allowable over the combined teachings of Jaiswal, Tierney and Lubbers. Claim 14 and its dependent Claims 15 and 21-22, each reciting similar limitations as discussed above with respect to Claim 1, are likewise each allowable over the combined teachings of Jaiswal, Tierney and Lubbers. Reconsideration and allowance of Claims 1-2, 8-9, 14-15 and 21-22 are therefore requested.

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The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 08-1394 for any matter in connection with this response, including any fee for extension of time and/or fee for additional claims, which may be required. Any questions regarding this case can be addressed to the undersigned at the telephone number below.

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Certificate of Transmission: I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (USPTO) via the USPTO's electronic filing system on October 27, 2009.

Edward C. Kwok

Michael Shenker Oct. 27, 2009
Attorney for Applicant(s)   Date of Signature

Michael Shenker

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Respectfully submitted,

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